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8 IN RE SCOTT RICHARD PRICE,
9 Plaintiff.

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11 Case No. 22-cv-07370 BLF
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13 **ORDER OF DISMISSAL**
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18 On November 22, 2022, Plaintiff, proceeding *pro se*, filed several state forms which
19 the Clerk's office construed as an attempt to file a complaint pursuant to 42 U.S.C. § 1983.
20 Dkt. No. 1. On the same day, the Clerk sent Plaintiff a notice informing him that he must
21 file a complaint on the proper form within twenty-eight days or the action would be
22 dismissed. Dkt. No. 3. A blank complaint form and postage-paid return envelope were
23 enclosed with the notice. *Id.* The Clerk also sent a separate notice informing Plaintiff that
24 he needed to either pay the filing fee or file an *In Forma Pauperis* ("IFP") application
25 within twenty-eight days to avoid dismissal. Dkt. No. 4. Lastly, Plaintiff was also notified
26 that this matter was assigned to a magistrate judge, and that he must complete and file a
27 form indicating either his consent or declination to proceed before a magistrate judge. Dkt.
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1 No. 5. This matter was reassigned to this Court on January 3, 2023. Dkt. Nos. 6, 7.

2 The deadline to file a response to the Clerk's notices regarding the filing of a proper
3 complaint and IFP application have passed without a response from Plaintiff. Accordingly,
4 this action is **DISMISSED** without prejudice for failure to file a proper complaint and pay
5 the filing fee. The Clerk shall terminate all pending motions and close the file.

6 **IT IS SO ORDERED.**

7 Dated: January 4, 2023


BETH LABSON FREEMAN
United States District Judge

United States District Court
Northern District of California